

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

MEILING SERRANO AND EDDIE PINNIX,

Plaintiffs,

vs.

PFIZER INC., PHARMACIA LLC f/k/a/  
PHARMACIA CORPORATION, PARKE,  
DAVIS & COMPANY LLC as successor-in-  
interest of PARKE, DAVIS & COMPANY,  
and WARNER-LAMBERT COMPANY LLC  
f/k/a WARNER-LAMBERT COMPANY,

Defendants.

Case No.: 3:20-cv-00462-FDW-DSC

**ORDER RE PLAINTIFF FACT SHEETS**

**ORDER**

The Court has reviewed the Parties' Proposed Joint Order Regarding Plaintiff Fact Sheets.

For good cause shown, IT IS ORDERED as follows:

1. This Order applies to Plaintiffs and their counsel in this action.
2. The format of the PFS that will be used in this action is attached as **Exhibit 1**.
3. Each Plaintiff must complete the attached Medical Authorization (attached as **Exhibit 2**) within ninety days of the entry of this Case Management Order.
4. Each Plaintiff must serve a completed PFS and signed authorization on Defendants within ninety days of the entry of this Case Management Order. To the extent Plaintiffs have served a PFS to Defendants in a prior lawsuit, Plaintiffs shall serve a supplemental PFS that pertains to this lawsuit and is governed by this Case Management Order. The PFS from the prior lawsuit is just as applicable to this lawsuit unless and until Plaintiffs provide an updated or revised PFS.
5. Defendants cannot file a dispositive motion solely based on (i) a failure to provide the PFS or (ii) a deficiency in the PFS, without first complying with the dispute resolution procedure set forth below in paragraph 6 of this stipulation and subsequently meeting and conferring with Plaintiffs' counsel about the motion.

6. Fact Sheet Deficiency Dispute Resolution

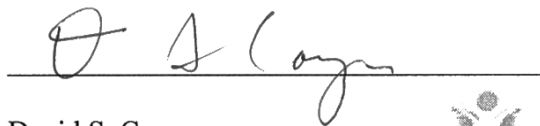
Phase I: Deficiency Letter: If any Plaintiff fails to provide the PFS within the time limits set forth above, or if Defendants deem the PFS deficient, Defendants' counsel shall notify Plaintiffs' counsel of the purported failure to timely provide the PFS or the deficiencies in writing and allow Plaintiffs an additional thirty days to provide the PFS or correct the alleged deficiency.

Phase II: Meet & Confer: Should Plaintiffs fail to sufficiently respond to the deficiency letter, cure the deficiency(ies), or fail to provide the PFS within thirty days, then Defendants may request a meet and confer. Defendants' counsel shall notify Plaintiffs' counsel in writing via email of the request to meet and confer and such meet and confer shall occur within seven days.

Phase III: Motion to Compel: Following the meet and confer period, should Plaintiffs 1) fail to provide the PFS or cure the stated deficiency(ies); 2) fail to respond to or participate in the meet and confer process; or 3) otherwise fail to provide adequate responses, and absent agreement of the parties to further extend the period for meeting and conferring, Defendants may then seek leave of Court to file a motion to compel the production of the PFS or the allegedly deficient discovery information.

**SO ORDERED.**

Signed: January 13, 2021

A handwritten signature in cursive script, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

